THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.27728 of 2005

Date:29.12.2005

Between:

Smt.M.Parvatamma

--------PETITIONER

The Acharya N.G. Ranga Agricultural University

---------RESPONDENT

ORDER:

The petitioner is working as a Senior Assistant in the respondent-University. The next higher post is that of Superintendent. The petitioner states that there are 108 posts of Superintendents in the University and in the matter of implementation of reservation for scheduled castes, more number of posts, than were to be reserved are being allocated, resulting in denial of promotion to her. She contends that 15% of 108 vacancies comes to 16.20 to be rounded of to 16 vacancies, whereas the respondent is reserving 17 vacancies, for scheduled castes and her chances of being promoted are affected.

Heard the learned counsel for the petitioner and the learned standing counsel for the respondent.

Consequent to the amendment to the Constitution of India paving the way for making reservations in the matter of promotions also, the Government of Andhra Pradesh issued G.O.Ms.No.2 Social Welfare (SW.RORI) Department, dated 09.01.2004, prescribing the procedure to be followed. Though the roster which is appended to Rule 22 of A.P. State and Subordinate Service Rules is made applicable, Clause IV of the G.O. mandates that in the matter of computation of adequacy of representation, the candidates belonging to S.C. and S.T. who get promotions on the basis of seniority-cum-merit, shall also to be taken into account. For example, if there exists 100 vacancies, and 5 candidates belonging to S.C. category got

promotions on the basis of merit, it is not necessary to reserve 15 posts. In such a case, the reservation would be confined to 10% and the representation would come to 15%. These aspects need to be taken into account, while computing the vacancies available for reservation.

The petitioner made a representation, dated 24.10.2005, narrating her grievance. The same needs to be taken into account by the respondent.

Hence, the writ petition is disposed of, directing the respondent to pass appropriate orders or to take necessary action on the basis of the representation, dated 24.10.2005, submitted by the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs.

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29.12.2005

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